

EXHIBIT 9-J

Checklist for CDBG Review of Construction Bid Documents (For Public Facilities Projects and New Housing Construction Projects)			
YES	NO	NA	
			Is <u>Exhibit 9-C (Letter of Transmittal of Construction Contract Checklist and Proposed Bid Document</u> -- and its attachments) included with the bid documents?
			1. Does the bid documents show that the local government will comply with State minimums of bid <u>advertising times</u> ? (See CDBG Manual, page 9-11)
			2. Is either <u>Exhibit 9-B (CDBG Supplemental General Conditions)</u> or <u>Funding Agency Special Provisions for Montana Public Facilities Projects</u> included? ... ~Does the bid document include all applicable required clauses (2a - 2m, below)?
			2a. <u>Montana Construction Contractor Registration Requirement</u> ? (No Contractor may submit a bid unless already properly registered with the Montana Department of Labor and Industry.)
			2b. Is the <u>1% Gross Receipts Withholding Requirement</u> (Contractor's License Fee) included?
			2c. Is the <u>Pre-construction Conference requirement</u> included?
			2d. Are the <u>Reports and Information requirements</u> included?
			2e. Are <u>Access to Records requirements</u> included?
			2f. Are <u>Contract Pricing requirements</u> described? Cost plus a percentage of cost / percentage of construction cost method of contracting shall <u>not</u> be used.)
			2g. Is the <u>Federal Labor Standards Provisions document (HUD-4010 Form)</u> Included? (See CDBG <i>Exhibit 6-A</i> for the 4010 form.)
			2h. Is the <u>appropriate federal Davis-Bacon Wage Determination (Schedule of Minimum Hourly Wage Rates)</u> included? See CDBG Manual, pages 9-13 and 9-14 for <u>CDBG Davis-Bacon Policy</u> : CDBG grant recipients need to verify (via contact with CDBG) that the wage rate determination is the most current available. Modifications to the federal wage rate determinations that are posted at the Davis-Bacon website <u>less than ten days before the bid opening</u> do <u>not</u> need to be utilized. Therefore, not less than fifteen work days prior to the bid opening your project's CDBG Program Specialist must be contacted by telephone or in writing to find out if the wage rates included in the bids solicitation are still current.
			2i. Are the <u>Equal Opportunity Provisions</u> included? ~ ~ Equal Employment Opportunity (Executive Order 11246) ~ ~ Title VII of the Civil Rights Act of 1964 ~ ~ Section 109 of the Housing and Community Development Act of 1974

			~ ~ Section 3 of the Housing and Community Development Act of 1968 ~ ~ Minority/Women Business Enterprise ~ ~ Nondiscrimination Provision in all Public Contracts
YES	NO	NA	
			2j. Are <u>Uniform Federal Accessibility Standards</u> (UFAS) included?
			2k. Are <u>Compliance with Federal Clean Air and Water Acts requirements</u> listed?
			2l. Are <u>Workers' Compensation compliance requirements</u> listed?
			2m. Is the <u>CDBG Project Sign requirement</u> listed?
			3. Is the <u>Contractor Insurance requirement</u> included?
			4. In the event bids might come in too high -- are <u>deductive alternatives</u> or <u>drop schedules</u> identified?
			5. Did the local government provide a copy of the <u>Engineer's Estimate</u> and <u>Bid Tabs</u> to CDBG? (This is to be done after the bid opening.)
			6. Is the <u>Information for Bidders</u> clearly presented?
			7. Did the local government provide <u>documentation of the Advertisement for Bids</u> to CDBG? (Submit to CDBG after the advertisements are published.)
			8. Is the <u>Method of Bidding</u> clearly described?
			9. Is/are the <u>Bid Schedule(s)</u> included?
			10. Is the <u>Bid Bond requirement</u> (10%) included?
			11. Is the <u>Performance Bond requirement</u> (100%) included?
			12. Is the <u>Payment Bond requirement</u> (100%) included?
			13. Is the <u>Notice of Award</u> process described? ... (See CDBG Exhibit 9-D.) NOTE: a) <u>Before a Notice of Award is issued</u> , CDBG should receive a request (using CDBG Exhibit 6-D; see page 9-17) for a debarment/eligibility check concerning the prospective contractor firm and its principal owners. b) Send a copy of the draft contract between the Local Government and the selected Contractor and request CDBG approval. c) Send a copy of the signed contract to CDBG.
			14. Are <u>Notice to Proceed requirements</u> described? (Also see Exhibit 9-D.)
			15. Is the <u>Change Orders</u> process described?
			16. Are <u>General Conditions</u> included?
			17. <i>IF APPLICABLE:</i> DEQ review and approval.
			18. Does <u>project bid schedule and scope (including project area)</u> match those described in the original application to CDBG and in the CDBG contract with the local government?

			20. Do all activities appear to be <u>CDBG eligible</u> ?
			21. Do <u>plans and specs</u> appear complete and understandable?

YES	NO	N/A	
			22. Was the <u>CDBG Environmental Release of Funds</u> made prior to contract award, as required by the CDBG/grantee contract? If applicable, was Floodplain compliance completed?
			23. Was an updated <u>Project Management Plan</u> and <u>Project Implementation Schedule</u> submitted and approved prior to construction contract award?
			24. Did grantee check with MDOC/CDBG for a <u>debarment check</u> (on the federal <i>Excluded Parties Lists System</i> , http://epls.arnet.gov/) of the prime contractor and subcontractors prior to awarding a contract?
			25. Construction Period: To avoid unnecessary claims for liquidated damages, <u>is the contractor granted a reasonable amount of time in which to complete project</u> ?
			26. To encourage free and open competition: If "brand names" or other proprietary components are specified, <u>is language added allowing for reasonable equivalent equipment or components</u> ?
			27. Are there <u>any unreasonable requirements</u> on firms in order for them to qualify to do business?
			28. Is there <u>unnecessary experience and excessive bonding</u> required?
			29. Any <u>noncompetitive pricing practices between firms or between affiliated companies</u> noted?
			30. Any <u>organizational conflicts of interest</u> noted?
			31. Any <u>arbitrary action in the procurement process</u> noted?
			32. Any other issues that need to be addressed before CDBG approval of the bid documents?